

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael S. Dahl, David Scott
Huber, individually and on behalf
of all others similarly situated,

Plaintiffs,

Civil No. 05-2207 (RHK/AJB)

vs.

**DISQUALIFICATION AND
ORDER FOR REASSIGNMENT**

R.J. Reynolds Tobacco Company,
R.J. Reynolds Tobacco Holdings,
Inc.,

Defendants.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

IT IS HEREBY ORDERED, that pursuant to this Court's Assignment of Cases Order dated February 10, 2003, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

IT IS FURTHER ORDERED, that a copy of this Order shall be filed in the above-captioned case.

Dated: September 27, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge